

**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT
REVIEW SHEET**

CASE NUMBER: SPC-2020-0252C **PLANNING COMMISSION
HEARING DATE:** January 12, 2021

PROJECT NAME: Hancock Shopping Center

ADDRESS: 1000 E 41ST STREET

APPLICANT: Pacific Retail Trust and H-E-B
Attn Property Tax Dept. 646 South Flores Street
PO Box 2539 San Antonio, Texas 78204
San Antonio, Texas, 78299 ATTN: Amadeus Fernandes

AGENT: Kimley Horn (Hudson Harrison)
(737) 202-3202
2699 Via Fortuna, Suite 300,
Austin, TX 78746

CASE MANAGER: Randall Rouda Phone: (512)974-3338
Randall.Rouda@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for Large Retail Use (food sales) in CS-CO-NP zoning in order to expand an existing grocery store to enhance services. A comparable amount of existing retail commercial building will be demolished to accommodate the grocery store expansion. The proposed development would also remove an existing pedestrian connection between the northerly and southerly parking lots. The applicant has agreed to accept a Condition of Approval requiring replacement of a functionally equivalent pedestrian connection prior to issuance of a Certificate of Occupancy for the proposed expansion.

A Large Retail Use means a use listed in Land Development Code section 25-2-815-A, including food sales, with 100,000 square feet or more of gross floor area. Large Retail Use is a conditional use. The existing food sales building is approximately 90,000 sq. ft. The proposed building would be 129,879 square feet.

The existing grocery store is an anchor use in the Hancock Shopping Center. The shopping center no longer has a valid Site Development Permit. To remedy this concern, the applicant is also requesting approval of a Site Plan Permit to re-certify the entire shopping center. Any future changes to the shopping center would be processed as revisions to the currently proposed Site Development Permit.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for Large Retail Use (food sales) and Site Development Permit for the Hancock Shopping Center with the following conditions:

- 1) A Certificate of Occupancy will not be issued for the Grocery Store expansion until an open air pedestrian walkway from the north wall of the building to the south side of the building has been constructed.
- 2) That all remaining informal administrative comments are cleared prior to site plan approval.

PROJECT INFORMATION

SITE AREA	34.25 Acres		
EXISTING ZONING	CS-CO-NP(Majority of Shopping Center Including Grocery Store) CS-1-CO-NP (Two small sites within shopping center)		
WATERSHED	Boggy Creek (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	East 41 st Street IH 35 Southbound Frontage Road Red River Street Bennett Avenue		
PROJECT INFORMATION (Cont'd)	Allowed	Existing	Proposed
FLOOR-AREA RATIO	2:1	0.29:1	0.30:1
BUILDING COVERAGE	95%	23%	25%
IMPERVIOUS COVERAGE	95%	91%	92%
PARKING	1,506 required	1,844	1,844

SUMMARY COMMENTS ON SITE PLAN:

LAND USE: A conditional use permit is required because the proposed food sales building (129,879 sq. ft.) meets the definition of a “large retail use” under the Large Retail Use ordinance (25-2-815—food sales is one of the principal uses with 100,000 square feet or more of gross floor area).

The proposed site plan includes fourteen total buildings. All other uses are permitted uses on the site except that there are pre-existing approved Conditional Use Permits for cocktail lounges. Also proposed with this site plan includes water quality and detention ponds, shaded sidewalks, and open space.

TRANSPORTATION: Primary access, including loading access, will be along East 41st Street and the southbound frontage road of IH 35. Secondary access will be from Red River Street and Bennett Ave. All transportation comments have been cleared.

ENVIRONMENTAL: The site is located in the Boggy Creek watershed, which is classified as Urban. The site is not located over the Edward's Aquifer Recharge Zone. There are no Critical Environmental Features on this site. All substantial environmental comments have been cleared.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Existing Shopping Center
<i>North</i>	SF-3-CO-NP	Single Family Residential
<i>South</i>	CS-CO-NP	E 41 st Street, then Commercial Retail
<i>East</i>	CS-MU-V-CO-NP	IH-35, then Commercial Retail
<i>West</i>	CS-MU-V-CO-NP, SF-3-CO-NP	Red River Ave, then Hotel/Event Venue

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
East 41st	80 ft	60ft	Arterial
S IH 35 Frontage Rd	200 ft	24 ft	Highway
Red River Street	85 ft	60 ft	Arterial

NEIGHBORHOOD ORGNIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 CANPAC (Central Austin Neighborhood Plan Area Committee)
 Central Austin Community Development Corporation
 Central Austin Urbanists
 Friends of Austin Neighborhoods
 Hancock Neighborhood Assn.
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 Preservation Austin
 Red Line Parkway Initiative
 SELTexas
 Sierra Club
 Austin Regional Group

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

The following evaluation is included to provide staff's position on each point of the conditional use permit criteria. Section **25-5-145** of the Land Development Code (**EVALUATION OF CONDITIONAL USE SITE PLAN**) states:

A. The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:**1. Comply with the requirements of this title;**

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The food sales use is a permitted use within the CS zoning district. The proposed development complies with all site development regulations for the zoning district. A conditional use permit is required because the proposed building expansion meets the definition of a "large retail use" under the Large Retail Use ordinance (25-2-815)

3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;

Staff Response: The site plan will comply with all requirements of the Land Development Code and zoning district. In addition, the building complies with setback and height requirements. The site is providing connectivity, shaded sidewalks, and open space as required by Subchapter E

(Commercial Design Standards) under the “Partial Compliance” standards for existing development.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: Off-street parking is provided in accordance with Land Development Code requirements. The loading facilities will be screened from view.

5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code and reasonably protects the health, safety, and welfare of persons and property.

C. In addition, a conditional use site plan may not:

1. More adversely affect an adjoining site than would a permitted use;

The site plan will conform to all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a permitted use. The expanded food sales area replaces space currently used for other retail commercial purposes.

2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation. A condition of approval is proposed to avoid the loss of pedestrian convenience by requiring the replacement of the existing pedestrian passageway.

3. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign. Staff Response: All signs and lighting will comply with the Land Development Code.

4. For a large retail use described in Section 25-2-815 (Large Retail Uses) adversely affect the future redevelopment of the site: This project site is an existing shopping center. The expansion of one anchor use into commercial space otherwise used for other retail commercial purposes does not interfere with redevelopment of the remainder of the site.

D. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

In addition, Sec. 25-5-146 (CONDITIONS OF APPROVAL) states:

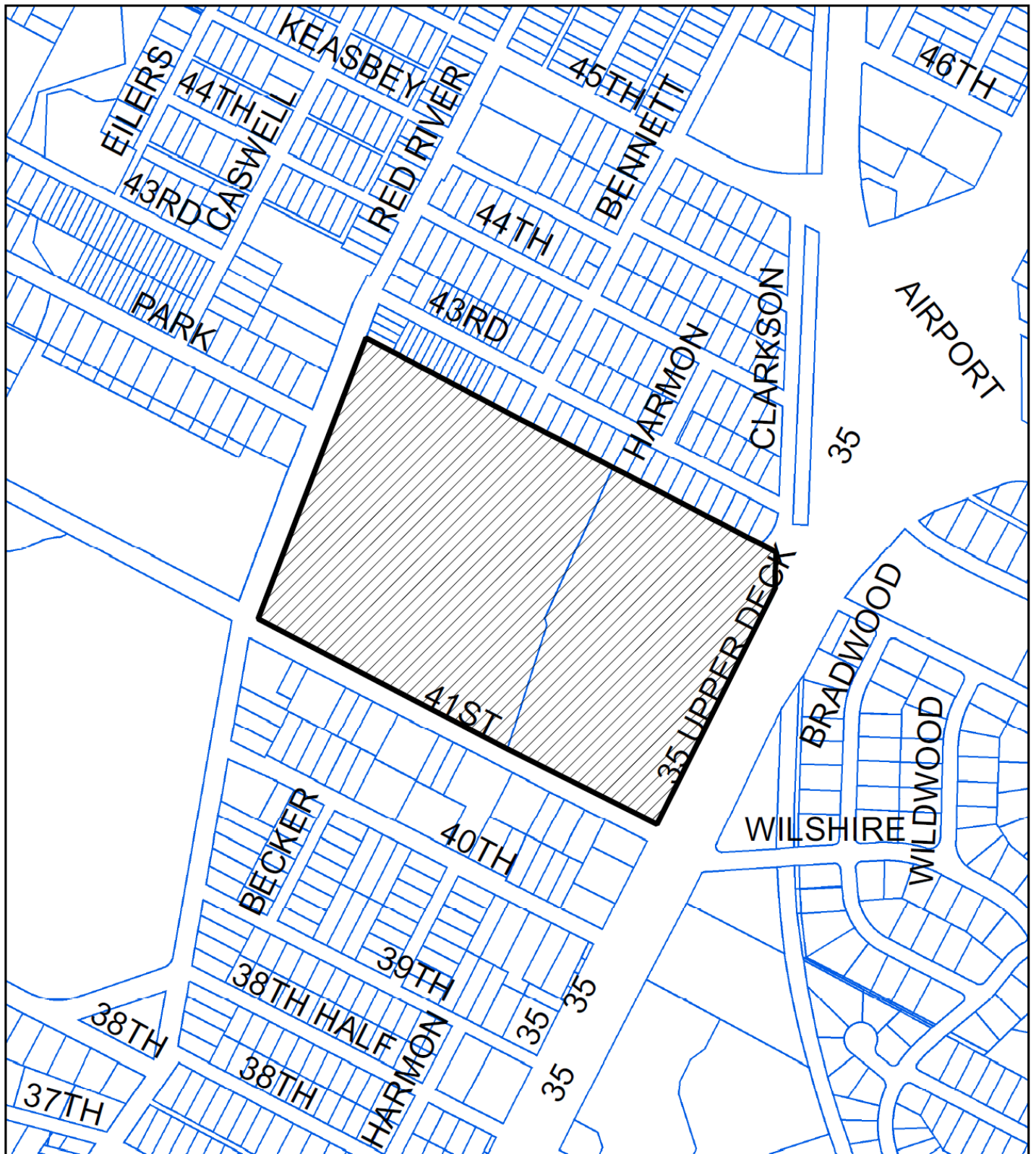
(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:



- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or

(7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

The following conditions of approval are recommended.

- 1) A Certificate of Occupancy will not be issued for the Grocery Store expansion until an open air pedestrian walkway from the north wall of the building to the south side of the building has been constructed.
- 2) That all remaining informal administrative comments are cleared prior to site plan approval



 Subject Tract
 Base Map


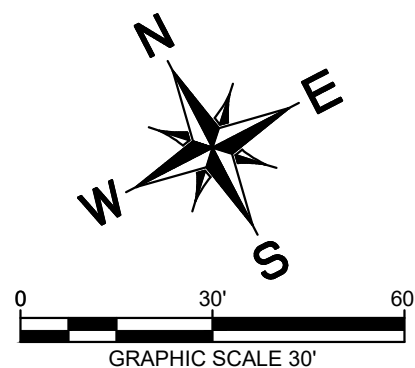
CASE NO: SPC-2020-0252C
ADDRESS: 1000 E 41ST STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference.





WARNING: CONTRACTOR IS TO
VERIFY PRESENCE AND EXACT
LOCATION OF ALL UTILITIES
PRIOR TO CONSTRUCTION.

TBM #1- X CUT INTO CURB NEAR THE WESTERN-MOST SUBJECT PROPERTY CORNER SLIGHTLY NORTH OF A POWER POLE.
ELEVATION = 615.576'.

TBM #2- MAG NAIL SET IN CONCRETE THE NORTHWESTERN SUBJECT PROPERTY CORNER JUST BEHIND A SIGN.
ELEVATION = 625.520'.

TBM #3- MAG NAIL SET IN CONCRETE NEAR A FIRE HYDRANT AT A SOUTHERLY ENTRY INTO THE PROPERTY. 3300 FEET FROM THE SOUTHWESTERN-MOST CORNER OF THE SUBJECT PROPERTY.
ELEVATION = 603.962'.

SPC-2020-0252C

HANCOCK SHOPPING CENTER								
BLDG	SUITE	TENANT	LAND USE	ZONING	APPROX. HEIGHT (FT)	GFA (SF)	PARKING RATIO	REQ'D PKG.
R	18	Radio Shack	Retail	CS-CO-NP	15'	2,600	1 / 275	10
I-6	200	Footlock	Retail	CS-CO-NP	20'	2,946	1 / 275	11
I-5	205	Gamers	Retail	CS-CO-NP	20'	2,177	1 / 275	8
I-4	208	Mr. Gatti's	Restaurant	CS-CO-NP	20'	2,373	1 / 100	24
I-3	210	Vacant	Restaurant	CS-CO-NP	20'	2,500	1 / 100	25
I-2	215	Austin Cleaners	Personal Svcs.	CS-1-CO-NP	20'	1,200	1 / 275	5
I-1	220	Nails of America	Personal Svcs.	CS-1-CO-NP	20'	2,184	1 / 275	8
H-1A	230	Castle Dental	Medical Office	CS-1-CO-NP	20'	2,800	1 / 275	11
H-1B	235	Quiznos	Restaurant	CS-1-CO-NP	20'	1,178	1 / 100	12
H-1C	240	GNC	Retail	CS-CO-NP	20'	1,400	1 / 275	6
H-1D	250	TGF Haircutters	Personal Svcs.	CS-CO-NP	20'	1,600	1 / 275	6
H-2A	255	Marble Slab	Restaurant	CS-CO-NP	20'	1,500	1 / 100	15
H-2B	260	Freebirds World Burrito	Restaurant	CS-CO-NP	20'	2,312	1 / 100	24
K	300	Jack in the Box	Restaurant	CS-CO-NP	15'	2,424	1 / 100	25
L	400	Onsite Cellular	Retail	CS-CO-NP	20'	1,480	1 / 275	6
L	410	Palm Beach Tan	Personal Svcs.	CS-CO-NP	20'	3,612	1 / 275	14
L	420	Pei Wei	Restaurant	CS-CO-NP	20'	3,550	1 / 75	48
L	430	Poke-F Jo's	Restaurant	CS-CO-NP	20'	3,358	1 / 75	45
B	500	Sears	Retail	CS-CO-NP	35'	160,994	1 / 275	586
M		Sear Auto Repair (20 bays)	Auto Repair	CS-CO-NP	15'	13,174	1 / 275	48
A	800	HEB	Food Sales	CS-CO-NP	35'	124,674	1 / 275	454
A	800	HEB	Restaurant	CS-CO-NP	35'	5,205	1 / 100	53
R	805	Bath and Body Works	Retail	CS-CO-NP	15'	2,585	1 / 275	10
C/D	810	Twin Liquors	Liquor Sales	CS-1-CO-NP	15'	15,001	1 / 275	55
C/D	820	Petco	Retail	CS-CO-NP	15'	15,326	1 / 275	56
C/D	850	Fitness Center	Personal Imp. Svc.	CS-CO-NP	15'	35,233	1 / 275	129
E/F	900	T-Mobile	Retail	CS-CO-NP	15'	2,061	1 / 275	8
E/F	915	Medical Office	Medical Office	CS-CO-NP	15'	1,100	1 / 275	4
E/F	910	Time Warner	Office	CS-CO-NP	15'	3,017	1 / 275	11
E/F	940	Jason's Deli & Patio	Restaurant	CS-CO-NP	15'	5,590	1 / 75	75
O	960	St. David's Medical Center	Medical Office	CS-CO-NP	20'	4,000	1 / 275	15
O	965	St. David's Medical Center	Medical Office	CS-CO-NP	20'	2,000	1 / 275	8
N		Wendys	Restaurant	CS-CO-NP	20'	4,000	1 / 75	54
G		Coffee Bean and Tea	Restaurant	CS-CO-NP	15'	1,388	1 / 100	14
SUBTOTAL						436,542		1,883
			Urban Reduction @ 20%					377
			TOTAL REQUIRED PARKING					1,506
			Regular					1,633
			Compact					127
			Handicapped					84
			TOTAL PROVIDED PARKING					1,844

SITE CALCULATIONS							
	ALLOWED PER BASE ZONING		PROPOSED				
	CS-CO-NP	CS-1-CO-NP	CS-CO-NP		CS-1-CO-NP		TOTAL
GROSS SITE AREA (SF)	17,692	1,474,164	17,692		1,474,164		1,491,857
GROSS SITE AREA (AC)	0.41	33.84	0.41		33.84		34.25
EXISTING GROSS FLOOR AREA (SF)			17,692	100%	412,353	28%	430,045 29%
PROPOSED GROSS FLOOR AREA (SF)	35,385	2,948,328	17,692	100%	436,542	30%	454,234 30%
EXISTING F.A.R.			1 :1		0.28 :1		0.29 :1
PROPOSED F.A.R.	2:1	2:1	1 :1		0.30 :1		0.30 :1
EXISTING BUILDING COVERAGE (SF)			17,692	100%	329,490	22%	347,182 23%
PROPOSED BUILDING COVERAGE (SF)	16,808 (95%)	1,400,456 (95%)	17,692	100%	348,247	24%	365,940 25%
EXISTING IMPERVIOUS COVER (SF)			17,692	100%	1,345,344	91%	1,363,036 91%
PROPOSED IMPERVIOUS COVER (SF)	16,808 (95%)	1,400,456 (95%)	17,692	100%	1,353,620	92%	1,371,312 92%
EXISTING OPEN SPACE (AC)			0	0%	0.94	2.8%	0.94 2.8%
PROPOSED OPEN SPACE (AC)			0	0%	0.87	2.6%	0.87 2.5%

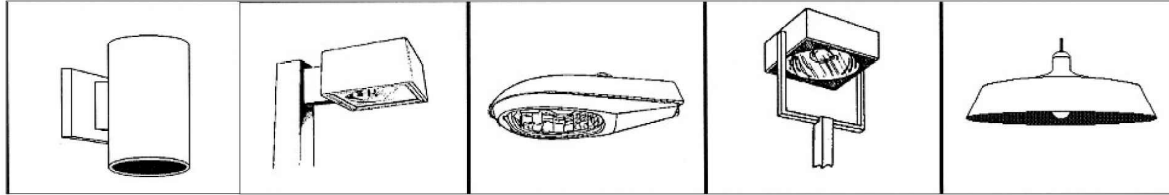


Figure 34:
Examples of fully-shielded light fixtures.

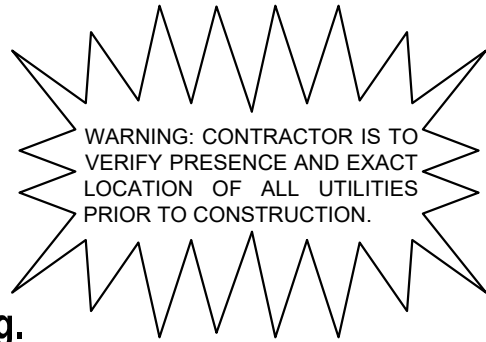
TOTAL REQUIRED ADAPARKING	29
TOTAL PROVIDED STANDARD ADA PARKING	92

HEB (BLDG A) BICYCLE PARKING TABLE	
TOTAL REQUIRED PARKING	25
TOTAL PROVIDED PARKING (STREETSCAPE)	36

OFF-SITE PARKING ANALYSIS	
TOTAL REQUIRED PARKING	1,506
TOTAL PROVIDED PARKING	1,844
SURPLUS	338
SHARED SPACES (PER SP-2017-0161CT)	150
REMAINING SURPLUS AFTER SHARED	188



Know what's below.
Call before you dig.



BENCHMARKS

BM #10760 X CUT INTO CURB NEAR THE WESTERN-MOST SUBJECT PROPERTY CORNER SLIGHTLY NORTH OF A POWER POLE
ELEV.=615.576' (NAVD '88)

BM #50001 MAG NAIL SET IN CONCRETE THE NORTHWESTERN SUBJECT PROPERTY CORNER JUST BEHIND A SIGN
ELEV.=625.520' (NAVD '88)

BM #50003 MAG NAIL SET IN CONCRETE NEAR A FIRE HYDRANT AT A SOUTHERN ENTRY TO THE PROPERTY, ~300 FEET FROM THE SOUTHWESTERN-MOST CORNER OF THE SUBJECT PROPERTY.
ELEV.=603.982' (NAVD '88)

SITE PLAN APPROVAL SHEET 11 OF 33

FILE NUMBER **SPC-2020-0252C** APPLICATION DATE **06/22/2020**

APPROVED BY COMMISSION ON _____ UNDER SECTION **142** OF CHAPTER **25-5** OF THE CITY OF AUSTIN CODE.

EXPIRATION DATE (25-5-81, LDC) _____ CASE MANAGER **RANDY ROUDA**

PROJECT EXPIRATION DATE (ORD.#970905-A) _____ DWPZ _____ DDZ _____

Director, Development Services Department
RELEASED FOR GENERAL COMPLIANCE: ZONING CS-CO-NP;
CS-1-CO-NP

Rev. 1	Correction 1
Rev. 2	Correction 2
Rev. 3	Correction 3

Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

SITE PLAN TABLES & NOTES

**HANCOCK SHOPPING
CENTER**
1000 E. 41ST STREET
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

SHEET NUMBER

11 OF 33